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TENTH ANNUAL REPORT OF THE SECRETARY OF THE BOARD OF EDUCATION.

[Continued from page 208.]

152. If the respective parties, before mentioned, have performed the duties required of them by law, the following things have now been done:—

1. A Register book has been prepared by the Board of Education, and a sufficient number of copies of the same have been transmitted to the Secretary of State, and by him to the school committee of each town, to enable them to supply each school within the town with one book.

2. The committees have distributed the books among the teachers, at or before the commencement of their respective schools.

3. The teachers have made their daily entries in the books, and each teacher, at the close of his school, has, as a condition precedent to his right to demand payment for his services, delivered his book to the committee, or to some person authorized by them to receive it.

The Board of Education has also prepared a blank Form of Inquiry, and, during the month of January, has transmitted copies of the same to the office of the Secretary of State.

4. The Secretary of State has forwarded one copy of these blanks to the school committee of each town and city in the Commonwealth.

5. The school committee have taken the Register books of all the schools in the town, collated and condensed their statistical items, and transferred them to the blank Form of Inquiry. They have also answered all such questions as may have been inserted in the Forms, have authenticated the whole by the proper signatures and certificates, and have returned the same, (on or before the last day of April of each year,) to the office of the Secretary of State for the use of the Board of Education.

It is obvious that a vast body of statistical information, comprehensive, exact, and touching all the vital interests of the schools, will now have been collected.

COMMITTEES' REPORTS.

153. But there is another fruitful field of wisdom, whose productions have not yet been gathered.

By the law of 1838, ch. 105, § 1, and a reenactment of the same, with slight modifications, St. 1846, ch. 223, § 4, the school committees of each town are required annually to make a "detailed report" of the condition of the several Public Schools, in their respective towns, which report shall contain such statements and suggestions in relation to such schools as the said committees shall deem necessary or proper to promote the interests thereof. This report is to be read before the assembled citizens, at an annual town meeting to be held in each town, in the month of February, March, or April; or, *at the discretion of the school committee*, to be printed for the use of the inhabitants.

It will be seen that, by virtue of the above provision, the report prepared by the committee must be either read in open town meeting, or printed for the use of the inhabitants; and that it is left optional with the committee to decide which course shall be taken.

154. The law requiring the committee, as one of the alternatives of their duty, to print their report, while it does not prescribe the number of copies to be printed, leaves the determination of this question, of course, with the committee. If they exercise their discretion in an unimpeachable manner, their decision is final and binds the town. The town thereby becomes liable to defray all the necessary expenses incident to the printing and distribution of the report.

155. The report, if printed, is to be printed "for the use of the inhabitants." A fair construction of this would seem to imply that one copy at least should be supplied to every head of a family or householder, and to every voter, whether or not he might be the head of a family or a householder, together with a few extra copies for the use of the committee, to enable them to exchange reports with the committees of other towns.

156. The original report, whether read in open town meeting, or printed for the use of the inhabitants, is to be deposited in the office of the town clerk. St. 1846, ch. 223, § 4; 1838, ch. 105, § 1.

No jurisdiction or control over this report seems to be given to the town. They may accept it in testimony of their approval; but they have no authority to reject it, or to modify it. The law points out the path which the original report must take: — it must be read in open town meeting, or be printed for the use of the inhabitants, and then go to its place of deposit in the office of the town clerk. Neither, on the other hand, has the report, as such, any legal force or validity. It may recommend new measures or propose the abolition of old ones;

but, if not accepted or made authoritative and binding, by the act of the town, the old measures will continue in force, and the newly proposed ones will have no legal existence.

157. The school committee of each town must make a copy of the report and transmit it to the office of the Secretary of State, on or before the last day of April. This copy must be certified or attested; but the law does not say by whom. Doubtless, any member of the committee, by law required to make the report, or the clerk of the town, who is made the legal depositary of it, would be held a proper certifying officer, within the meaning of the law. 1846, ch. 223, § 4. St. 1838, ch. 105, § 1.

SCHOOL ABSTRACTS.

158. When the Returns, — which were described above, and which embrace all the statistics of the schools, — together with the Reports, which contain the committees' "detailed" statements of the condition of the schools, are received by the Secretary of the Commonwealth, both classes of documents are handed over to the Board of Education. From these documents, the Secretary of the Board prepares a volume, entitled "The Abstract of the Massachusetts School Returns."

159. The Reports of the committees are all carefully read by the Secretary of the Board, and selections are made from them of such parts as possess the greatest interest and value; and to such an extent as is compatible with the limits of the volume to be prepared. The Returns also are all collated and condensed, and arranged in convenient tabular forms, so as to show, as far as statistics can show it, both the actual and relative condition of the schools, in every town in the State.* St. 1838, ch. 105, § 7.

160. It is obvious, from the nature of the case, that the statistical returns of our schools, if accurately made, and made by all the towns in the State, must possess an intrinsic and permanent value. The tables, as prepared, show the population and valuation of each town, and the number of persons belonging to it between the ages of 4 and 16 years. Thus they give direct and authentic information of the number of children to be provided for, and of the extent of the town's pecuniary resources, from which its ability to make provision arises. They show the number of Public Schools in each town, the whole number of children who have attended those schools at any time during the year; how many of them were between the

* The computations, and the transfer of the items into tables according to forms prescribed by the Board, are made in the office of the Secretary of State; but the whole are carefully revised, and carried through the press by the Secretary of the Board. The selections from the committees' reports are all made by the Secretary of the Board.†

† The entire labor of preparing all the Tables of the Abstract is now transferred to the Secretary of the Board of Education. St. 1847, ch. 183, § 1. — Ed.

ages of 4 and 16 years, how many were under 4 and how many were over 16 ; and, in connection with these items, they also show the average number in attendance. They show the aggregate length of all the schools in each town, both for the summer and winter terms, and the number of teachers in each town, and their sex. They show the average compensation made to teachers, both male and female, and the value of their board. They show the amount of money raised by tax in each town, and, as the amount of the valuation of each town is also given, it is easy to determine what percentage the respective towns levy upon themselves for this object. The number of children between 4 and 16 being also given, it is easy to see how much the towns raise *per capita* for the education of the children within them. If the inhabitants of any town have the public spirit which prompts them to contribute something, either in the way of supplying board for the teachers, or fuel for the schools, beyond the regular appropriation made by the town in its corporate capacity, that amount also appears ; and if there are any funds or revenues devoted by any town to this purpose, the town is credited with their amount.

161. The existence of any other educational means is also recognized and reported. The number of incorporated academies, with the number of months they may have been kept during the year, the average number of scholars belonging to them, and the aggregate paid for tuition therein ; the number of private schools of all kinds, together with the number of months kept, average of scholars, and aggregate of tuition, — all have their appropriate heads, and are matters of distinct statement. From these last-mentioned items, it may be seen, at a glance, whether the academies of the State are in a flourishing or declining condition, and whether the private schools, in any town, are gaining upon and supplanting the public schools, or whether the spirit of republicanism and Christianity is gradually levelling up the privileges of the poorer classes to an equality with those of their more wealthy townsmen.

For a complete specimen of the Statistical Tables, as they are annually prepared, see Appendix.

162. The Reports of the committees embrace a species of information which statistics can never exhibit. If the committees have performed their duty, they have thoroughly examined every teacher before he was allowed to enter his school. They have made themselves acquainted not only with the text books already in the schools, but with such of their competitors for public favor as present any reasonable claims to superiority. They have visited all the schools within their jurisdiction, both summer and winter, — once shortly after their commencement, to ascertain their condition, once each month during their progress, to inspect, to counsel, and to encourage ; and once near their close, to winnow the chaff from the wheat, by a thorough examination. At these visitations, they have had an opportu-

nity to learn the condition of the schoolhouse and its appurtenances, and to determine their fitness or unfitness as a place for physical, mental, and moral growth. They have had an opportunity to observe the manners of the teacher in his intercourse with the children, — to learn whether he has been actuated by a proper spirit in the relation which he has sustained to the future citizens of a republic and to heirs of immortality, and whether he has had the tact and the talent successfully to execute the good things he may have devised for their benefit. They have had an opportunity to ascertain on what principles the school has been classified, the regular or irregular attendance of the scholars, their supply or deficiency of text books, the presence or absence of black-boards, charts, maps, globes, and other apparatus, the possession or non-possession of a school library, and so forth. They have had an opportunity to know whether the irrevocable lapse of a most important period of the pupils' lives has left its equivalent of improvement behind it, — in fine, whether the teacher has carried the children successfully forward through one of the stages of that immense distance that lies between the weakness, the ignorance, and the irresponsibility of infancy, and the power, the knowledge, and the majestic and glorious attributes of full-developed manhood.

163. Nor has the attention of the faithful and intelligent school committee been circumscribed even within the ample outline of duties above denoted. They have inquired what has been done in other towns, and with what results of success or of failure, and they have investigated the causes of either; they have cautiously experimented, wherever the probabilities of reason or the preponderance of testimony gave hope of improvement; and they have critically examined into all those external relations, those *circumstances of the neighborhood*, which bear with favorable or with adverse influence upon the schools. Surveying the vast interests intrusted to their care, foreseeing the mighty events to be one day evolved from inceptive processes, now so minute, and, to most minds, so trivial; and pervaded by a sense of religious obligation for the faithful discharge of their duties, the committee have sought for wisdom as for hid treasure, and have studied to turn all their acquisitions to practical account.

It is under these circumstances, that the faithful committee sit down to deliberate upon and to prepare their report. They award personal commendation or censure; they point out improvements and defects in modes or systems; they detail the results of experiments, whether successful or unsuccessful; they propose changes or give their reasons for adhering to existing usages; in fine, — having formed opinions, by the aid of experience, observation, and study, — they seek to advance those opinions from theory to practice.

164. Beyond any thing hitherto spoken of, it must also be mentioned, that one most conspicuous and far-shining quality, in many of the committees' reports, has been their eloquent advocacy of the precious and enduring interests connected with our Common Schools; — not any brilliant declamation or rhetorical artifices do I mean; but there has been a calm and steady transfusion into the public mind of the great thoughts which belong to this great theme, until many, who before looked upon the institution as valueless, or even as oppressive, have come to regard it as containing the only guaranties of liberty, order, and law. Just in proportion as the community has appreciated this interest, it has itself been elevated. Such, indeed, is the effect with which nature invariably rewards the attainment of any new truth. Truth enfranchises its recipient. It gives prerogatives and dominion unknown before; and, wherever it restrains, it makes its disciple see that the freedom of which he before boasted was but bondage. The devotee of sensual and sordid propensities, if once he can be made to taste the refined and exquisite gratifications of generosity and nobleness, will turn and dash in pieces the idol pleasures which before he had worshipped as gods.

165. The Reports of the committees, containing the matured results of their observation and experience, and the Returns, comprising the statistics of the schools, being placed in the hands of the Secretary of the Board of Education, are the materials from which the Annual Abstract is compiled. The Abstracts have probably averaged nearly or quite three hundred closely printed octavo pages. When ready for distribution, one copy is given to each member of the Legislature, so that the rulers of the State may have the means of knowing the condition of its schools, and be exonerated from the criminality of that ignorance and indifference which attach to so vast a proportion of all the legislators of the country, whether State or National. One copy is sent to each town and city clerk, and two or more copies to each board of school committee men in the Commonwealth. Thus each town and each school committee, in requital for its own contribution to the common stock, receives back the views, plans, suggestions, and experimental results, of all the other committees in the State. The light emanating from each town is concentrated in a focus, from which its whole radiance is reflected back to every point, whence any beam of it was originally rayed forth.

In reading the reports from year to year, it has been interesting to remark, how a voice of wisdom emanating from one committee, perhaps in a remote or obscure section of the State, would, the succeeding year, be echoed back from a hundred points; and how an original or important suggestion, thrown out for consideration, in one town, would come back, the subsequent year, reported upon as tried by the test of experiment,

and ratified. In some instances, two different towns have tried the same experiment with different results, and hence, have sent forth opposite opinions respecting its utility. Upon this conflict of testimony, a third town has re-subjected the case to experiment, detected the causes of the different results which had been reported, and determined more accurately the conditions of success.

In only one instance has there been too free a use, by any committee, of the labors of others. In that case, an entire report, made in a previous year by the committee of a distant town, was transcribed without alteration or acknowledgment, and submitted as original, — a bold, bald, unmitigated, unconscionable plagiarism!

REPORTS OF THE BOARD OF EDUCATION.

166. Another instrumentality provided by the Legislature, for diffusing information, not only on the subject of Common Schools, in particular, but on the general principles of education and on educational systems, is the following: —

By the act establishing the Board of Education, they were authorized to appoint a Secretary, whose duty it should be to "collect information," &c. See *ante*, 138. St. 1837, ch. 241, § 2.

167. By another act, enlarging and prescribing the duties of the Secretary, he was required to "apply himself to the object of collecting information of the condition of the public schools," — "of the fulfilment of the duties of their office by all members of the school committees of all the towns, and the circumstances of the several school districts, in regard to all the subjects of teachers, pupils, books, apparatus, and methods of education; — with the intent of furnishing all requisite materials for the report by law required from the Board of Education." St. 1838, ch. 159, § 1.

168. By the original act for its establishment, the Board of Education was required, annually, to "make a detailed report to the Legislature of all its doings, with such observations as their experience and reflection might suggest, upon the condition and efficiency of our system of Popular Education, and the most practicable means of improving and extending it." St. 1837, ch. 241, § 3. *Ante*, 139.

169. And by a subsequent provision, it is made the duty of the clerk of the Senate, for the time being, to cause to be printed annually, before the meeting of the Legislature, or as soon thereafter as may be, five thousand * copies of the report of the Board of Education, one thousand copies of which are to be reserved for the Legislature, one copy is to be sent to each school district and to each board of school committee men, in the State, and the residue are to be placed at the disposal of the Secretary of the Board. — Resolve, March 7, 1844.

* Now increased to six thousand. — Resolve, April 23, 1847. — *ED.*

170. It is the duty of the Secretary of the Board of Education to make an annual report of the several expenses incurred by said Board, "for any object whatever." — Resolve, March 1, 1842.

All the *direct* means for diffusing information among the citizens at large, on the subject of schools and of education, have now been enumerated.

Among other provisions for increasing the efficiency of our schools are the laws and resolves on the subject of Apparatus, District School Libraries, State Normal Schools, and Teachers' Institutes.

APPARATUS.

171. Each legally constituted school district in the State is authorized to establish and maintain a Common School Library and Apparatus for the use of the school ; and, for this purpose, to levy upon itself a tax, not exceeding thirty dollars for the first year, and ten dollars in any subsequent year. St. 1837, ch. 147, § 1.

The above provision, so far as it regards "Common School Libraries," has been superseded by later enactments.

172. The tax levied for the purpose of procuring libraries and apparatus, is to be assessed, collected, and paid over, as other school district taxes are. Ib. § 2.

DISTRICT SCHOOL LIBRARIES.

173. The state offers a bounty to encourage the purchase of District School Libraries, on the following conditions:—

Each school district, in every town legally divided into school districts, however small may be the number of the children belonging to it, on exhibiting proof to the treasurer of the Commonwealth that it has raised and appropriated the sum of fifteen dollars or more for a district school library, is entitled to receive from said treasurer the same amount, to be expended for the same object. Said moneys are to be paid over by the treasurer, to the order of the selectmen of the town or the mayor of the city, in which such district is situated. — Resolve, March 3, 1842.

174. If any school district has twice sixty children between the ages of 4 and 16 years, and shall produce evidence to the treasurer that it has raised and appropriated, for a school library, twice fifteen dollars, then, and on the same terms and conditions as above specified, it is entitled to draw from the treasurer twice fifteen dollars, for the same purpose. Any district containing *three* times sixty scholars between the ages of 4 and 16, *four* times sixty, or any higher number of times sixty, has the same ratable or proportional claim upon the treasurer, on exhibiting the same proof of its title. — Resolve, March 11, 1844.

175. Any town or city in the Commonwealth, whose territory is *not* legally divided into school districts, on producing evidence to the treasurer that it has raised and appropriated for school libraries as many times fifteen dollars, as the number sixty is contained, exclusive of fractions, in the number of children between 4 and 16 years of age belonging to such town or city, is entitled to receive from said treasurer, to be expended for the same purpose, as many times fifteen dollars, as the number sixty is contained in the number of its children between the above-mentioned ages. — Resolve, March 7, 1843.

176. For special provisions in regard to school libraries for the schools of the city of Boston, see Resolve, March 25, 1845.

177. The question has been once or twice asked, and under circumstances which authorized the suspicion that some ulterior action was contemplated, whether a school district, after having received and expended the bounty of the State for the purchase of a school library, could then sell the library and dispose of the money for any other purpose, — either by dividing it among the inhabitants of the district, or in any other way. Disclaiming all authority and desire to adjudicate upon the merits of such a case, I have, nevertheless, expressed the individual opinion, that any disposition of a library, purchased in part by means derived from the State, for any other purpose than that of re-investing the proceeds of the sale in other library books, would not be warranted by law.

The object and intent of the law evidently were to establish a library for the benefit of the school district. A school district has the nature and qualities of a perpetual corporation. The library, therefore, was as much designed for those who are to belong to the district, in future, as for those who are now members of it. Hence, each district holds its library not only for the benefit of the children now belonging to it, but for the benefit of their successors. To dispose of it, therefore, and appropriate the proceeds of the sale for any other purpose, even though in itself a laudable one, would seem to be a breach of trust; and, if so, it would, of course, be unlawful. The Legislature of the State doubtless has power, — should it ever see good reason, — for granting a dispensation.

178. It is supposed that a town would have no more right than a district to abolish its school libraries, after having availed itself of the bounty of the State for their procurement.

179. Any town or district, being the legal owner of a school library, has, according to the principles of the common law, a right to make all reasonable rules and regulations for its care and management.

STATE NORMAL SCHOOLS.

180. One of the most efficient agencies for improving not only the Common Schools, but all the schools in the State, has been the State Normal Schools.

In a communication made by the Secretary of the Board of Education to the Legislature, dated March 12, 1838, it was stated that private munificence had placed at his disposal the sum of ten thousand dollars, to be expended, under the direction of the Board of Education, for qualifying teachers for our Common Schools, on condition that the Legislature would place in the hands of the Board an equal sum, to be expended for the same purpose.

On the 19th day of April of the same year, resolves were passed, accepting the proposition, and authorizing the Governor, with the advice and consent of the Council, to draw his warrant upon the treasurer for the sum of ten thousand dollars, to be placed at the disposal of the Board for the purpose specified in the communication made by the Secretary.

181. The Board, after mature deliberation, decided to establish three Normal Schools, — one for the northeastern, one for the southeastern, and one for the western part of the State. Accordingly, one was opened at Lexington, in the county of Middlesex, on the 3d day of July, 1839. This school, having outgrown its accommodations at Lexington, was removed to West Newton, in the same county, in September, 1844, where it now occupies a commodious building.

The second Normal School was opened at Barre, in the county of Worcester, on the 4th day of September, 1839. This school has since been removed to Westfield, in the county of Hampden, both on account of the insufficiency of the accommodations at Barre, and because the latter place is situated east of the centre of population of the western counties.

The third school was opened at Bridgewater, on the 9th day of September, 1840, and is permanently located at that place.

182. For the two last-named schools, there had been, from the beginning, very inadequate schoolroom accommodations. In the winter of 1845, a memorial, on behalf of certain friends of education in the city of Boston and its vicinity, was presented to the Legislature, offering the sum of five thousand dollars, to be obtained by private subscription, on condition that the Legislature would give an equal sum, for the purpose of erecting two Normal Schoolhouses, — one for the school at Westfield and one for that at Bridgewater. By resolves of March 20, 1845, the proposition of the memorialists was accepted and the grant made; and by the same resolves it was ordered, "that the schools heretofore known as Normal Schools, shall be hereafter designated as State Normal Schools."

183. The school at West Newton is appropriated exclusively to females; those at Bridgewater and Westfield admit both sexes.

184. Among the standing regulations adopted by the Board, for the government of the State Normal Schools, are the following: — most of which were adopted in the beginning, and

have been constantly in force, — only a few modifications, and those very slight ones, having since been introduced.

ADMISSION. As a prerequisite to admission, candidates must declare it to be their intention to qualify themselves to become school teachers. If they belong to the State, or have an intention and a reasonable expectation of keeping school in the State, tuition is gratuitous. Otherwise, a tuition-fee is charged, which is intended to be about the same as is usually charged at good academies in the same neighborhood. If pupils, after having completed a course of study at the State Normal Schools, immediately engage in school keeping, but leave the State, or enter a private school or an academy, they are considered as having waived the privilege growing out of their declared intention to keep a Common School in Massachusetts, and are held bound in honor to pay a tuition-fee for their instruction.

If males, pupils must have attained the age of seventeen years complete, and of sixteen, if females; and they must be free from any disease or infirmity, which would unfit them for the office of school teachers.

They must undergo an examination, and prove themselves to be well versed in orthography, reading, writing, English grammar, geography, and arithmetic.

They must furnish satisfactory evidence of good intellectual capacity and of high moral character and principles.

Examinations for admission take place at the commencement of each term, of which there are three in a year.

TERM OF STUDY. At West Newton and Bridgewater, the minimum of the term of study is one year, and this must be in consecutive terms of the schools. In regard to the school at Westfield, owing to the unwillingness of the pupils in that section of the State to remain at the school even for so short a time as one year, the rule requiring a year's residence has been from time to time suspended. It is found to be universally true, that those applicants whose qualifications are best, are desirous to remain at the school longest.

COURSE OF STUDY. The studies first to be attended to in the State Normal Schools, are those which the law requires to be taught in the district schools, namely, orthography, reading, writing, English grammar, geography, and arithmetic. When these are mastered, those of a higher order are progressively taken.

For those pupils who wish to remain at the school more than one year, and for all belonging to the school, so far as their previous attainments will permit, the following course is arranged: —

1. Orthography, reading, grammar, composition, rhetoric, and logic.
2. Writing, drawing.

3. Arithmetic, mental and written, algebra, geometry, book-keeping, navigation, surveying.
4. Geography, ancient and modern, with chronology, statistics, and general history.
5. Human Physiology, and hygiene or the Laws of Health.
6. Mental Philosophy.
7. Music.
8. Constitution and History of Massachusetts and of the United States.
9. Natural Philosophy and Astronomy.
10. Natural History.
11. The Principles of piety and morality common to all sects of Christians.
12. THE SCIENCE AND ART OF TEACHING WITH REFERENCE TO ALL THE ABOVE-NAMED STUDIES.

RELIGIOUS EXERCISES. A portion of the Scriptures shall be read daily, in every State Normal School.

VISITERS. Each Normal School is under the immediate inspection of a Board of Visitors, who are in all cases to be members of the Board of Education, except that the Secretary of the Board may be appointed as one of the visitors of each school.

The Board appoints one Principal Instructor for each school, who is responsible for its government and instruction, subject to the rules of the Board, and the supervision of the Visitors. The Visitors of the respective schools appoint the assistant instructors thereof.

185. To each Normal School an Experimental or Model School is attached. This School is under the control of the Principal of the Normal School. The pupils of the Normal School assist in teaching it. Here, the knowledge which they acquire in the science of teaching is practically applied. The art is made to grow out of the science, instead of being empirical. The Principal of the Normal School inspects the Model School, more or less, daily. He observes the manner in which his own pupils exemplify, in practice, the principles he has taught them. Sometimes, all the pupils of the Normal School, together with the Principal, visit the Model School in a body, to observe the manner in which the teachers of the latter, for the time being, conduct the recitations or exercises. Then, returning to their own schoolroom, in company with the assistant teachers themselves, who have been the objects of inspection, each one is called upon to deliver his views, whether commendatory or otherwise, respecting the manner in which the work has been performed. At this amicable exposition of merits and defects, the Principal of the Normal School presides. After all others have presented their views, he delivers his own; and thus his pupils, at the threshold of their practice, have an

opportunity to acquire confidence in a good course, of which they might otherwise entertain doubts, and to rectify errors which otherwise would fossilize into habit.

The salaries of the teachers of the State Normal Schools are paid by the State.

TEACHERS' INSTITUTES.

186. Teachers' Institutes are assemblies of teachers, of one or of both sexes, for the purpose of being taught. In other words, a Teachers' Institute is a school composed of teachers and of persons intending to become such, who assemble to spend a longer or a shorter time together, for the purpose of improvement in the art of teaching. The duration of the meeting is not fixed. It is longer or shorter, according to the ability and zeal of the members. It is not known that any one has been held for a shorter period than one week. Some have continued six weeks. As an instrumentality adapted to the improvement of teachers at large, Institutes were first introduced in the State of New York. They are now held in various States, — New York, Massachusetts, Rhode Island, New Hampshire, Vermont, Ohio, Michigan, Pennsylvania, and perhaps others.

187. Massachusetts was the first State to afford Legislative encouragement to Teachers' Institutes. The sum of twenty-five hundred dollars a year is placed at the disposal of the Board of Education, to defray certain expenses incident to this class of meetings. St. 1846, ch. 99, § 3.

188. Whenever "reasonable assurance" is given to the Board, that a number of teachers of Common Schools, not less than seventy, shall desire to assemble for the purpose of forming a Teachers' Institute, and to remain in session for a period not less than ten working days, the Board, by a committee, or by their Secretary, or, in case of his inability, by such person or persons as they may delegate, are to appoint a time and place for a meeting, make suitable arrangements therefor, and give due notice thereof. St. 1846, ch. 99, § 1.

189. The Board, or their committee or appointee, must engage teachers and lecturers for each Institute they may call; provide rooms, fires, lights, attendance, and so forth; but for these purposes, they are not authorized to expend on any one Institute a greater sum than two hundred dollars. By a regulation of the Board, the personal expenses of the Secretary of the Board, incurred in calling and attending the Institutes, may be defrayed from said sum of two hundred dollars; but no allowance is made for his services. Ib. § 2. See 139, 140. The personal expenses of the members for travel, board, and so forth, are to be defrayed by themselves.

190. The committee of the Board, its Secretary, or, in his absence, the person appointed by them, or him, stands in the

same relation to the Institute in which a teacher stands to his school.

191. The instruction at the Institutes is designed to be of such a character as shall furnish a model for Common School exercises, although the former will naturally partake more of the oral method than the latter. Owing to the shortness of the time during which the Institutes are held, they can do but little besides giving some practical skill, — some knowledge of the *art* of teaching. For a mastery of principles, or an indoctrination into the *science* of teaching, Normal Schools must be the main and the only unfailing reliance, in any system of Common Schools.

192. The evenings of the session are usually occupied by debates, or by lecturers who treat of any of the important topics embraced in the vast range of Common School interests.

PENALTIES FOR NOT PROVIDING, AND FOR WITHHOLDING,
THE MEANS OF EDUCATION.

193. In addition to the penalties to which any town, school district, or school officer, may be liable, at common law, for malfeasance or nonfeasance in the performance of official duty, it is expressly provided by statute, that if any town shall refuse or neglect to raise money for the support of schools, as required by law, such town shall forfeit a sum equal to twice the highest sum which had ever before been voted for the support of schools therein. Rev. St. ch. 23, § 60.

194. If any town shall refuse or neglect to choose a school committee to superintend its schools, or to choose a prudential committee for its several districts, when it is the duty of the town to choose such prudential committee, such town shall forfeit a sum not less than one hundred nor more than two hundred dollars, which shall be paid into the treasury of the county. One fourth of said sum shall be for the use of the county; the other three fourths shall be paid by the county treasurer to the school committee of the town on which the fine had been imposed; or, if no such committee exists, then to the selectmen of the town for the use of the schools therein. *Ib.*

195. Every such school committee or board of selectmen must forthwith receive, from the treasurer of the county, any money so payable to them, and must apportion and appropriate the same to the support of the schools of such town, in the same manner as it should have been appropriated, if it had been regularly raised by the town for that purpose. *Ib.* § 61.*

* Although affecting the interests of Common Schools only indirectly, yet it may not be inappropriate to refer to the provisions which the law has made in furtherance of the discipline of colleges. They are as follows: —

No innholder, tavern-keeper, retailer, confectioner, or keeper of any shop, or boarding-house, for the sale of drink or food, nor any livery-stable keeper, for

CHILDREN IN MANUFACTURING ESTABLISHMENTS. 196. No child under the age of fifteen years shall be employed to labor in any manufacturing establishment, unless such child shall have attended some public or private day school, — where instruction is given by a teacher qualified according to law to teach orthography, reading, writing, English grammar, geography, arithmetic, and good behavior, — at least three months of the twelve months next preceding any and every year, in which such child shall be so employed. St. 1836, ch. 245, § 1.

197. The owner, agent, or superintendent of any manufacturing establishment, who shall employ any child in such establishment contrary to the above provision, shall forfeit the sum of fifty dollars, for the use of the person prosecuting for the same. St. 1836, ch. 245, § 2. St. 1842, ch. 60, § 2.

198. If any owner, agent, or superintendent of a manufacturing establishment, before employing any child under the age of fifteen years, shall obtain and preserve a certificate, signed by the instructor of the school where such child did attend, at least three months of the twelve months next preceding the time of such employment, declaring that said child has received the instruction required by law, and if the truth of the certificate shall be sworn to by the instructor before some justice of the peace for the county where the instructor resides, and, upon the certificate, shall also be certified the fact of the administration of an oath or affirmation by said justice, then the person otherwise liable to said penalty shall be exempted therefrom. St. 1838, ch. 107.

199. It is the special duty of the school committees in the several towns and cities of the Commonwealth to prosecute the owners, agents, or superintendents of manufacturing establishments, for employing children under fifteen years of age, who have not received the instruction above described. St. 1842, ch. 60, § 1.

200. No child under the age of twelve years can be lawfully employed to labor, in any manufacturing establishment, more than ten hours in any one day. St. 1842, ch. 60, § 3.

201. The owner, agent, or superintendent of any manufac-

horse or carriage hire, shall give credit to any undergraduate of either of the colleges within this State, without the consent of the president, or of such officer as may be thereto authorized by the governments of such colleges, respectively, nor in violation of any rules and regulations of said colleges. Rev. St. ch. 23, § 69.

No person shall be approved, by the selectmen of any town, to be licensed for either of the employments afore mentioned, nor shall any such license be granted to any person, if it shall appear that he has, within the year then last past, given credit to any undergraduate of said colleges, contrary to the provisions of the twenty-third chapter of the Revised Statutes. Ib. § 70.

If any person shall give credit to any undergraduate of a college, contrary to the foregoing provisions, he shall forfeit and pay a sum equal to the amount so unlawfully trusted or credited, whether the same shall have been paid or not. Ib. § 71.

turing establishment, who shall knowingly employ any child, under the age of twelve years, more than ten hours in any one day, shall forfeit the sum of fifty dollars for each offence, to be recovered in any court competent to try the same, to the use of the person prosecuting. St. 1842, ch. 60, § 4.

202. Any child unlawfully excluded from public school instruction, in this Commonwealth, may recover damages therefor, in an action on the case, to be brought in the name of said child by his guardian or next friend, in any court of competent jurisdiction to try the same, against the city or town by which such public school instruction is supported. St. 1845, ch. 214. This act was passed in order to secure to all colored children equal privileges with the whites, in all our schools.

AIDS AND ENCOURAGEMENTS TO EDUCATION.


203. It is the duty of all resident ministers of the gospel, of the selectmen and the school committees, in the several towns and cities of the State, to exert their influence and use their best endeavors, that the youth of their towns or cities shall regularly attend the schools established for their instruction. Rev. St. ch. 23, § 8, ch. 2, § 6, art. 17.

204. All property belonging to Common School districts, the income of which is appropriated to the purposes of education, is exempted from taxation. St. 1843, ch. 85.

MASSACHUSETTS SCHOOL FUND. 205. In the year 1834, it was enacted that from and after the first day of January then next, all moneys in the treasury derived from the sale of lands in the State of Maine, and from the claim of the State on the government of the United States for military services, and not otherwise appropriated, together with fifty per cent. of all moneys thereafter to be received from the sale of lands in the State of Maine, should be appropriated to constitute a permanent fund for the aid and encouragement of Common Schools; *provided*, that said fund shall never exceed one million of dollars. St. 1834, ch. 169, § 1. Rev. St. ch. 11, § 13. St. 1844, ch. 6, § 1.

206. The investment of all moneys appropriated to the school fund is to be made by the treasurer of the Commonwealth, with the approbation of the governor and council. Rev. St. ch. 11, § 14.

[To be continued.]

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